

FILED

Notice of Appeal

for

2013 NOV 21 P 1: 28

Civil Action No. 1:12-CV-01039

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

Date: 11/21/13

Background: This civil case was dismissed on 10/28/2013. I, Nadine Ranade would like to appeal this case as I believe that there is evidence for disregard by the employer to address employee request for FMLA and after this was request a case around bad performance was built to dismiss me. Some of reasons I feel I would like the judge to re-consider is:

- a. **Disregard of the FMLA request :**
I believe that there was interference/denial for the request as my manager interfered and put restrictions on the leave request.
- b. **Sequence of events leading to the legit action:** There is sufficient evidence about good performance and all of a sudden I was downgraded after I requested for leave.
- c. **Retaliation:**
Soon after the leave request my manager put me on the PIP and downgraded my performance. I believe that I suffered an adverse employment decision/dismissal due to the fact I requested for leave.
- d. **Interference:**
There is evidence for direct interference by my employer in the leave matter. As I understand when a FMLA leave is requested an employer may not "interfere with, restrain, or deny the exercise of the attempt to exercise".

I was expecting co-operation and understand from my employer and share everything openly.

e. **Discriminatory Intent:**

I believe that after I requested for leave a case for poor performance was created with intent to dismiss me.

f. **Causal connection:**

The adverse decision about my employment was causally connected to invocation of my leave rights.

g. **Grounds for Dismissal:**

There is sufficient evidence related to good performance and all of a sudden it changed after leave was requested which is directly related to the issue of retaliation.

h. **Other evidence of causation:**

I feel there were statements made directly that were hostile and threatening.

i. **Lack of consideration for health condition:** I was told by my manger to juggle work and therapy at the same time instead of making accommodation's for leave after my doctor asked to cut down hours.

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